

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	
Essroc)	NOTICE OF VIOLATION
Italcementi Group)	
Logansport, Indiana)	EPA-5-99-IN-40
)	
)	
Proceedings Pursuant to)	
Section 113(a)(1) of the)	
Clean Air Act, 42 U.S.C.)	
§ 7413(a)(1))	

NOTICE OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). U.S. EPA finds that Essroc is violating the Indiana State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. On June 17, 1987, U.S. EPA approved 325 IAC 5-1 as part of the federally enforceable SIP for Indiana. 52 Fed. Reg. 23032. U.S. EPA approved the recodification of this rule (326 IAC 5-1) on June 15, 1995. 60 Fed. Reg. 31412.
2. 325 IAC 5-1(a)(1)(A) prohibits the discharge, from any affected source or facility located in attainment areas for particulate matter, of visible emissions in excess of an average of 40 percent opacity in 24 consecutive 15-second visible emission readings.
3. Essroc owns and operates a portland cement manufacturing facility at 3084 West County Road 225 South, Logansport, Indiana.
4. Emissions from Essroc's Conveyor Belt #1 and Screen Shaker Outlet to Conveyor Belt #3 are subject to the opacity regulations in the Indiana SIP at 325 IAC 5-1(a)(1)(A).

Violations

5. On July 14, 1999, Essroc's emissions at Conveyor Belt #1 exceeded an average of 40 percent opacity during five six-

minute visible emission observation periods (120 consecutive readings), as summarized below:

Conveyor #1

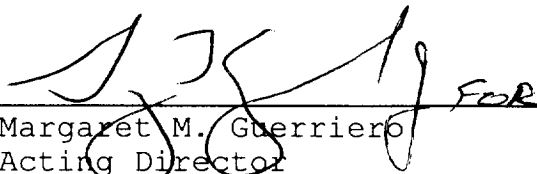
<u>Set Number</u>	<u>Opacity (%)</u>	<u>Opacity Limit (%)</u>
1	46.3	40
2	48.5	
3	47.9	
4	60.8	
5	57.3	

6. On July 14, 1999, Essroc's emissions at Screen Shaker Outlet to Conveyor Belt #3 exceeded an average of 40 percent opacity during two of three six-minute visible emission observation periods (72 consecutive readings), as summarized below:

Screen Shaker Outlet to Conveyor Belt #3

<u>Set Number</u>	<u>Opacity (%)</u>	<u>Opacity Limit (%)</u>
2	42.1	40
3	40.6	

9/20/99
Date


Margaret M. Guerriero
Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

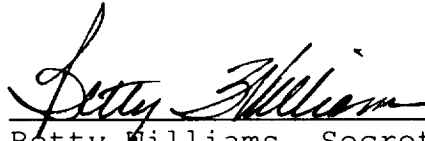
I, Betty Williams, certify that I sent a Notice of Violation, No. EPA-5-99-IN-40, by Certified Mail, Return Receipt Requested, to:

Brian Graf, Environmental Manager
Essroc
Italcementi Group
3084 West County Road 225 South
Logansport, Indiana 46947

I also certify that I sent copies of the Notice of Violation by first class mail to:

David P. McIver, Air Section Chief
Office of Enforcement
Indiana Department of Environmental Management
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015

on the 20th day of September, 1999.


Betty Williams, Secretary
AECAS, (IL/IN)
(312) 353-1129

CERTIFIED MAIL RECEIPT NUMBER: P 140 895 448